

LOYOLA UNIVERSITY BULLETIN

VOL. XXIII

JUNE, 1941

No. 4

SCHOOL OF LAW

Member of the Association of American
Law Schools

On the Approved List of the American
Bar Association



ANNOUNCEMENTS

1941 - 1942

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LOYOLA UNIVERSITY
6363 St. Charles Avenue
NEW ORLEANS, LA.

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LOYOLA UNIVERSITY BULLETIN

Vol. XXIII JUNE, 1941 No. 4

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June, July, August, September, November.
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Loyola University, Incorporated April 15, 1912. Authorized
to grant degrees by The General Assembly of Louisiana for the
year 1912.

The Legal and Corporate Title of the University is
"LOYOLA UNIVERSITY, NEW ORLEANS, LA."

All donations, endowments, legacies, bequests, etc., should
be made under this title.

SCHOOL OF LAW

1941 - 1942



LOYOLA UNIVERSITY

NEW ORLEANS, LA.

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JANUARY							APRIL							JULY							OCTOBER								
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29	30	31	28	29	30	27	28	29	30	27	28	29	30	31		

CALENDAR FOR YEAR 1941-1942

SCHOOL OF LAW

1941

Sept. 8, Monday.....Registration—First Year, Day Division, 9 A.M. to 4 P.M., Law Building.

Registration—First Year, Evening Division, 7-9 P.M., Law Building.

Sept. 9, Tuesday.....Registration—Upperclassmen, Day Division, 9 A.M. to 4 P.M., Law Building.

Registration—Upperclassmen, Evening Division, 7-9 P.M., Law Building.

Sept. 10, Wednesday.....Lectures begin, Day and Evening Divisions.

Oct. 3, Friday.....Mass of the Holy Ghost, 8:45 A.M., Church of the Most Holy Name of Jesus; University Convocation, 11 A.M., Holy Name School Auditorium.

Nov. 1, Saturday.....Solemnity of All Saints.

Nov. 19, Wednesday.....Thanksgiving recess begins after last scheduled class.

Nov. 24, Monday.....Classes resumed.

Dec. 8, Monday.....Solemnity of the Immaculate Conception.

Dec. 19, Friday.....University Convocation, 11:00 A.M.

Dec. 20, Saturday.....Christmas vacation begins after last scheduled class.

1942

Jan. 5, Monday.....Classes resumed.

Jan. 14, Wednesday.....First semester examinations begin.

Jan. 27, Tuesday.....First semester ends.

Jan. 29, Thursday.....Second semester begins.

Feb. 16, 17,
Mon., Tues.....Mardi Gras Holidays.

March 4, 5, 6,
Wed., Thur., Fri.....Annual retreat for all students.

April 1, Wednesday.....Easter vacation begins after last
scheduled class.

April 8, Wednesday.....Classes resumed.

April 16, Thursday.....University Convocation.

May 13, Wednesday.....Second semester examinations begin.

May 14, Thursday.....Ascension Day.

May 31, Sunday.....Baccalaureate Services.

June 1, Monday.....Commencement Exercises, 8:00 P.M.

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Founded in 1912

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Founded in 1914

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(Session 1941-1942)

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Professor of Law†

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Lecturer on Federal Procedure

JOHN T. CHARBONNET, LL.B.,
Lecturer on Successions

JAMES THOMAS CONNOR, A.M., J.D.,
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DOCTEUR EN PHILOSOPHIE ET LETTRES (LOUVAIN),
*Associate Professor of Legal History and Philosophy**

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LÉANDRE MARÉCHAL, LL.B.,
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ANTONIO EDWARD PAPALE, A.B., LL.B.,
*Professor of Law**

*Resident.

†On leave.

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Lecturer on Legal Ethics

CHARLES J. RIVET, B.S.,
Lecturer on Legal Ethics

LEON SARPY, A.B., LL.B., LL.M.,
*Associate Professor of Law**

MOSE CLYDE SCHARFF, LL.B., LL.M.,
Lecturer on Trial Tactics

JOHN MORT WALKER, JR., B.E., LL.B.,
*Associate Professor of Law**

REV. JAMES F. WHELAN, S.J., Ph.D.,
Lecturer on Canon Law

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LIBRARY ADMINISTRATION

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MR. A. E. PAPALE

MR. LEON SARPY

SPECIAL STUDENTS

MR. J. MORT WALKER, JR., *Chairman*

MR. A. E. PAPALE

MR. LEON SARPY

*Resident.

GENERAL STATEMENT

History and Location The State of Louisiana offers a unique opportunity for the study of law in the midst of surroundings rich in historical events of profound significance to legal institutions in the United States. The city of New Orleans in a special manner has witnessed great moments since its founding by the French in the early eighteenth century. The Louisiana Purchase was consummated at the Cabildo, which still stands in Jackson Square, the area dedicated to the great hero of the Battle of New Orleans. Here are located the principal courts of the state: the Criminal Court for the Parish of Orleans, the Civil Courts, the Court of Appeal, and the Supreme Court of Louisiana. Here likewise are found the various divisions of the federal court. The library of the State Bar of Louisiana is housed in the Civil Courts building and is available as an additional reference library to students who attend the School of Law of Loyola University. Of special interest is the fact that much of the private law in the State of Louisiana is based upon the continental civil law, with which the early French settlers were familiar, and to which they and their descendants have held tenaciously since the founding of the province.

Recognizing these advantages, and in order to afford an opportunity for the study of law to those who because of financial burdens were unable to devote their full time to the undertaking, the Jesuits established the Evening Division of the School of Law at Loyola University in October, 1914. The Honorable John St. Paul, A.M., LL.B., Judge of the Court of Appeals of Louisiana, later Associate Justice of the Supreme Court of Louisiana, was invited to organize a faculty and curriculum for the School of Law. Judge St. Paul was appointed first Dean of the Faculty of Law and associated together several of the outstanding judges and lawyers in the city of New Orleans as the first faculty. During the first year lectures were held in the Alumni Hall of the former College of the Immaculate Conception in downtown New Orleans. An increase in the student-body demanded larger accommodations and the School of Law was moved to the campus of Loyola University, on St. Charles Avenue, where it was housed in a portion of Marquette Hall. In September, 1925, the Day Division of the School of Law was inaugurated.

In 1931 the School was moved to Bobet Hall. The School of Law occupied the entire ground floor of this building until June, 1941. In September, 1941, the School of Law will move into a new law school building.

Period of Study The curriculum of studies covers a period of three years in the Day Division, and four years in the Evening Division, at the end of which the degree of Bachelor of Laws is conferred on those who have passed successfully the required examinations in the entire course and who are otherwise qualified.

Approved School The School of Law is a member of the Association of American Law Schools and is on the list of schools approved by the Council on Legal Education of the American Bar Association, which approval is dependent upon meeting and maintaining certain standards as to entrance requirements, faculty, library, and curriculum. The School of Law is also registered as an approved school by the Board of Regents of the University of the State of New York.

Aims and Purposes The Faculty of the School of Law conceive the function of a legal education to be the development of a sound and discriminating judgment and the acquisition of a technique in bringing the available legal devices to bear in the prevention of and solution of controversies. To this end the curriculum combines a detailed examination of the theory of legal institutions with practical applications thereof to actual and typical problems.

Course Of Study Louisiana occupies a unique position among the states of the Union in view of her espousal of the civil law tradition embodied in the Code Napoleon, which is the basis of her jurisprudence. For this reason the course of study includes a thorough investigation of the sources and development of the civil law and careful discipline in the civil law technique and methodology. The common law system, which prevails generally throughout the United States, is not neglected, and a sufficient complement of common law courses is included in the curriculum to prepare a student to begin the practice of law anywhere in the United States.

An unusual opportunity is afforded in Louisiana for students interested in comparative law to observe in operation

at close range the two outstanding systems of law extant in the world today.

The Faculty The faculty is composed of six full-time professors who devote their entire time and attention to university work. In addition, a few courses are given by part-time instructors who are eminent and active practitioners in the city of New Orleans, and who are selected with reference to their particular ability to give the courses assigned to them. In this manner the students are in contact not only with a staff of men who make teaching their chief pursuit, but the students have the added advantage of personal contact with active practitioners, who are all experts in their particular fields. The relatively small student-body of the School of Law increases the opportunity for personal contact between faculty and students, with the resultant benefits to be derived from individual attention and conferences.

Law Library The law library is open every day for the use of students. It contains more than 16,000 volumes, including the reports of the United States Supreme Court and of the inferior federal courts; the National Reporter System, including the New York Supplement; the reports of the courts of last resort of most of the states complete to the National Reporter System; the American Digest System; the leading state, federal, and English digests; the principal law encyclopedias; sets of annotated selected cases; the English Reports, Full Reprint, and a complete set of the Law Reports; complete sets of most of the leading American legal periodicals; and a large number of standard text-books. The Law Library of Chief Justice Edward Douglass White, which was donated to the School of Law, together with gifts of numerous volumes from Branch Knox Miller, Judge Chas. Parlange, Judge John St. Paul, Rev. Jerome Mullin, S.J., J. M. Lapeyre, T. J. Semmes, W. C. Staub and Chas. T. Soniat, form a part of the collection.

Ample facilities are provided in this library for the entire student-body and the reference materials are readily available to them.

Research Reading Room In addition to the general Law Library, which houses the volumes just enumerated, there has been made available a special Library and Reading

Room, which contains a wealth of material comprising the leading French legal authorities, together with numerous works on Roman, Swiss, Spanish, and other national legal literature. This collection contains one of the most complete groups of French authorities in the State, including many valuable editions of the Louisiana Civil Code.

The Research Reading Room is available to the students at all reasonable times, and they are encouraged to acquaint themselves with the source materials of the law.

The faculty and students of the School of Law wish to acknowledge with sincerest gratitude the various donations made by Miss Leonora Del Bondio to the School of Law, which made it possible to improve its facilities and equipment.

Requirements In addition to meeting the requirements for **For Admission** admission to the College of Arts and Sciences, applicants for admission to the School of Law must have completed their eighteenth year at the time of registration. In accordance with the standards of the Association of American Law Schools and the American Bar Association, students entering the School of Law must present satisfactory proof that they have completed "one-half of the work acceptable for a Bachelor's degree granted on the basis of a four-year period of study by the State University or the principal colleges or universities in the State where the Law School is located." *The average of all pre-legal work taken must equal the average required for graduation in the institution attended.*

Pre-Legal While the Faculty of Law realizes that the **Requirements** widest possible latitude ought to be afforded a student in laying the educational and cultural foundation for his professional studies, experience has shown that a student left too much to his own choice in the selection of his pre-law studies frequently fails to employ his time to the best advantage. It is doubtful if a student entering college is capable of determining for himself what course of study will be most advantageous to him in preparing for his law training, and the tendency is to choose those courses which he feels that he can pass successfully irrespective of their merit. In view of this experience of the Faculty of Law, the following pre-law curriculum has been designed.

The applicant's record in his pre-legal work must be of such a character as to indicate that he will be able to do satisfactory work in the School of Law. Students are advised in shaping their pre-legal course to adhere closely to the following recommendations. Credit will not be given for courses without substantial intellectual content.

FIRST YEAR

English	6 sem. hrs.
English Composition and Rhetoric.	
Modern Language	6 sem. hrs.
French.	
Science	8 sem. hrs.
Accountancy.	
History	6 sem. hrs.
Modern Europe or English History.	
Social Science	6 sem. hrs.
Economics or Sociology.	
Public Speaking	2 sem. hrs.

SECOND YEAR

English	6 sem. hrs.
The English Essay or Prose Writers.	
Modern Language	6 sem. hrs.
French.	
History	6 sem. hrs.
American Constitutional or English or American History.	
Philosophy	8 sem. hrs.
Dialectics, Epistemology, Psychology, and Ethics.	
Electives	4 sem. hrs.

Advanced Standing Students who have successfully pursued a portion of their law course in an approved law school (that is, a school which is a member of the Association of American Law Schools or approved by the American Bar Association), and who are able to meet the entrance requirements of this School of Law, will receive credit for work successfully pursued in such approved school. The right is reserved to refuse such credit in whole or in part, and credit given may be withdrawn for poor work. At least one year's

residence is required of advanced students or they will not be eligible for a degree. Therefore, credit given for work in another law school shall not exceed two years.

A student who has attended another law school, and who has been dropped for defective scholarship, is not eligible for admission to this School of Law unless special permission is obtained, which permission shall be in the discretion of the Dean.

Special Students While it is the policy of the Faculty of Law to insist upon the minimum of pre-legal education on the part of those who apply for admission to the School of Law, it nevertheless realizes that occasionally special circumstances, such as maturity, demonstrated ability in other fields, and individual aptitude, will justify exceptions within the limits imposed by the Articles of Association of the Association of American Law Schools. Therefore, a limited number of Special Students may be admitted to the Evening Division only, but not as candidates for the law degree.

Applicants who wish to qualify as Special Students are advised to apply to Professor J. Mort Walker, Jr., Chairman of the Faculty Committee on Special Students, for the necessary forms and regulations. Applications will be passed upon by the Faculty Committee on September 2.

The following general regulations apply to all Special Students:

- (1) The applicant must be at least 23 years of age.
- (2) There must be some good reason for thinking that the applicant's experience and training have specially equipped him to engage successfully in the study of law, despite the lack of the required college credits.

Combined Courses A student by a proper selection of courses in the College of Arts and Sciences and in the School of Law may in the space of six scholastic years complete the requirements for both the academic and professional degree as indicated in the following program.

The first three years are to be spent in the College of Arts and Sciences. All the requirements as set out on page 34 of the General Bulletin of the University (Volume 22, No. 8) must be met. In the fourth year the student is registered in both

the College of Arts and Sciences and the School of Law. If the student has met all the requirements, the academic degree is conferred at the end of the fourth year. In the fifth and sixth year the student is registered in the School of Law only and the professional degree is conferred after the satisfactory completion of the requirements for this degree.

Students electing to take the combined courses must obtain the approval of the Dean of the College of Arts and Sciences. Students registering in the School of Law will not be permitted to take work in the College of Arts and Sciences without special permission from the Dean of the School of Law.

The Faculty strongly advises those contemplating the study of law to arrange their college work in such a manner that they may take the combined course, with the resulting advantage of a broader background for the study of the law.

Requirements For Degree The standard course in the School of Law covers a period of three years in the Day Division and four years in the Evening Division. Classes are held in the Day Division from Monday through Saturday morning, and in the Evening Division from 7 to 9 P. M. Monday through Friday.

The degree of Bachelor of Laws (LL.B.) will be conferred upon those who have satisfactorily completed seventy-eight semester hours in the School of Law, as outlined in this Bulletin.

Examinations and Special Regulations Examinations are given at the end of each of the two semesters into which the scholastic year is divided. The alphabetical system of grading is used. The grades A, B, C, D, E and F will be given.

The quality of work indicated by these grades is as follows:

Grade	Quality of Work
A.....	Excellent
B.....	Good
C.....	Fair
D.....	Unsatisfactory
E.....	Condition
F.....	Failure

The condition indicated by the grade "E" may be removed by successfully passing a second examination. A mark of "F" cannot be made up by examination.

In order to graduate, a student must have secured a grade of "D" or better in at least seventy-eight hours of law work, and he must have earned a number of "quality credits" equal to the number of hours required for graduation. *No student will be eligible for the law degree until he has fulfilled both of these requirements.*

Quality credits are earned according to the following schedule:

Grade	Quality Credits per Credit Hour
A	3
B	2
C	1
D	0
E	0
F	0

Every student in his first year in the School of Law must secure a weighted average of .65. (The weighted average of a student is determined by dividing the total number of hours scheduled in the School of Law into the number of quality credits earned.)

Every student at the end of his second year in the School of Law must have earned a weighted average of .85 on his entire record.

Every student at the end of his third year in the School of Law must have earned a weighted average of 1.00 on his entire record.

Any student who fails to meet the requirements as above set out in his first year in the School of Law will be excluded. Any student who fails to meet the requirements as above set out in his second and subsequent years will be placed on probation or excluded from the School of Law, in the discretion of the Faculty. Any student who has been excluded from the School of Law for failure to meet these requirements will be readmitted only by special action of the Faculty.

No student will be permitted to schedule more than fifteen hours of law work or work in another department of the University in any semester without special permission from the Dean of the School of Law.

No student will be permitted to schedule less than ten hours of law work in each semester of his final year without special permission from the Dean of the School of Law.

A student whose work is unsatisfactory during any semester may be denied permission to carry a full schedule during the following semester. The Faculty reserves the right to require the withdrawal of any student whose attitude is unsatisfactory even though the student meets the minimum scholastic requirements.

No student will be examined in any course in which he has been absent from more than twenty-five per cent of the scheduled classes. No credit will be given for any work done in such cases. Students are advised to consult with their various professors when they suspect that they may have excess absences. The Faculty accepts no liability to inform any student of his excess absences prior to the issuance of the grades.

Removal of Conditions Students who have been conditioned in any subject may be permitted to take a second examination without repeating the course, in the discretion of the Faculty. Except when special circumstances will not permit it, students who have conditions will take the second examination (when permission is given so to do) at the next regularly scheduled examination in the course. The grade secured on the second examination will become the final grade in the course unless the student repeats the course thereafter, in which event the grade secured after completion of the course will become the final grade.

A student may be denied the privilege of taking the second examination and be required to repeat the course, even though he has not failed the course, where the circumstances indicate that such procedure is more desirable.

Tuition and Fees Beginning with the year 1941-42 the annual tuition in the School of Law will be \$250, payable as follows: \$65 upon the date of registration; \$60 on December 1; \$65 on March 1; and \$60 on May 1. This tuition charge will include all fees. Students who have been registered in the School of Law before September, 1941, will continue to pay the old fees of \$200, payable as follows: \$50 upon the date of registration; \$50 on December 1; \$50 on March 1; and \$50 on May 1. In addition to the tuition fee of \$200 these students will pay a fee of \$5.00 to cover the cost of the annual year-book. This fee will be payable upon the date of registration.

Every student registered in the School of Law will have the privilege of attending all athletic contests conducted by the University and may use the athletic facilities at all reasonable times. Duly registered students will receive also a copy of the *Maroon*, the student publication.

A late registration fee of \$2.00 will be charged for failure to register at the appointed times.

A transcript fee of \$1.00 will be charged for each transcript issued by the School of Law after the first one.

A re-examination fee of \$2.00 will be charged to any student who is permitted to take a second examination in any course.

A charge of \$5.00 will be made for every examination taken out of course. The Faculty reserves the right to refuse permission to take examinations at other than the regularly appointed times.

A graduation fee of \$25.00 is imposed on all candidates for degrees in the School of Law and must be paid on or before May 1st of the year in which the degree will be conferred. This fee is not included in the annual tuition and fee charge of \$250.

A delinquent payment fee of \$5.00 will be charged to any student who fails to pay any tuition installment on the due date as above indicated.

No student will be admitted to the lectures until his initial tuition payment has been made. Under no circumstances will a student who is in arrears in his accounts with the University be permitted to take any examination. No certificate, transcript of record, or degree will be issued to a student whose financial account with the University is not in good standing.

Refunds No tuition will be refunded except in case of illness. If on account of serious illness a student withdraws before the middle of a semester, one-half of his tuition for that semester will be refunded, provided he secures from the Dean a statement of honorable standing, and from a physician a certificate that his health will not permit him to remain in attendance. No application for a refund will be considered unless made before the close of the semester for which the fee was paid.

Registration Students intending to enter the School of Law must register on the dates fixed. A certificate of good character will be required of all applicants.

All high school units and college credits must be submitted prior to registration.

Living Expenses Good board and lodging can be secured in **For Students** the vicinity of the campus at very reasonable rates. The University is equipped with a cafeteria, operated under private management, where meals may be obtained at very low rates.

Scholarships Many bright and ambitious men and women, of approved moral character, are deprived of the opportunity of entering upon the study of law because of lack of funds. To meet this situation, the University must look to generous benefactors who, in their charity, wish to help native sons and daughters in this way by supplying funds necessary to care for a student's tuition.

A Perpetual Scholarship is founded when an endowment of \$5,000.00 is set aside for that purpose.

Scholarships cover the tuition fee only. The holder of the scholarship must pay the special fees at the beginning of the year, and must at all times set an example of good conduct and serious application. The honor will be forfeited by any holder of a scholarship whose grades or conduct during the semester are unsatisfactory.

Student Organizations The Delta Theta Phi, national legal fraternity, has established a chapter at the School of Law, to which law students are eligible for membership. Likewise, the Phi Delta Delta, national women's legal fraternity, has established a chapter at the School of Law, to which all of the women law students are eligible for membership.

The St. Thomas M^{ore} Law Club was established in 1935 by the students of the Day Division, and all law students are eligible for membership. The law club, under the patronage of the English martyr and saint, is devoted to the stimulation of interest in organized legal research on the part of its membership, and particularly in the preparation and argument of mooted cases before appellate tribunals. Students who participate in this program are afforded an excellent

opportunity to demonstrate and improve their legal technique under ideal court conditions. This work is climaxed each year by the Moot Court competition between representatives of the St. Thomas M^ore Law Club and the Delta Theta Phi legal fraternity. Through the combined efforts of these two organizations and the Student Activities Committee of the University, a beautifully mounted silver plaque has been obtained for the law library. On this plaque the names of the representatives of the two law societies are engraved and the winner of the final competition is indicated. Prominent members of the law alumni are selected to act as judges and preside over this trial.

The Law Sodality is open to all Catholic students in the School of Law and administers to the spiritual welfare and needs of the members.

Law Review The faculty and students of the School of Law publish annually the Loyola Law Review. Through this medium all upperclassmen are afforded opportunities for legal research and writing. The officers of the student board are chosen from the high-ranking students of the senior class.

Awards and Prizes Each year the Faculty Award is given to the senior in the School of Law who has maintained the highest average over his or her entire law course.

The Dean's Award is given annually to the student who has maintained the highest average during his first year in the School of Law.

The Henry L. Sarpy Memorial Award is made each year by Associate Professor Leon Sarpy to the student in the School of Law who has excelled in the course in Louisiana Practice.

DESCRIPTION OF COURSES

GENERAL

Admiralty This course involves a discussion of jurisdiction in Admiralty matters, State Workmen's Compensation Acts, and other laws applicable to maritime workers, maritime liens, salvage, general average, limited liability acts, contracts of affreightment, the Harter Act, and sovereign immunity.

Lord and Sprague, Cases on Admiralty (2d edition).

Two hours.

†**Canon Law** This is a lecture course on the Codex Juris Canonici with special emphasis upon the canons dealing with marriage.

Two hours.

Conflict Of Laws This course comprises a study of the jurisdiction and procedure of courts as affected by the place of transaction, doctrines of Conflict of Laws relating to Torts, Contracts, Agency, Workmen's Compensation, Carriers, Property, Family Law, Foreign Judgments, Foreign Corporations.

Lorenzen, Cases on Conflict of Laws (4th edition).

Three hours.

Contracts This course consists of a study of cases dealing with offer and acceptance, consideration, sealed instruments, assignments, third party beneficiaries, and performance, a study and application of the pertinent sections of the Restatement of the Law of Contracts in addition to assigned readings and individual studies on the origin and history of the action of assumpsit, the development of the doctrine of consideration, and promissory estoppel.

Goble, Cases and Materials on Contracts.

Five hours.

Equity This course treats of the origin and development of courts of equity and their fusion with courts of law under modern codes. It deals further with the jurisdiction and powers of courts of equity, special attention being given to injunctive relief, specific performance, equitable conversion, the Statute of Frauds, and equitable servitudes.

Walsh, Cases on Equity.

Three hours.

†Not for credit.

Legal Ethics This course deals with the professional duties and obligations of lawyers, together with a critical examination and appraisal of the Canons of Professional Ethics promulgated by the American Bar Association.

Cheatham, Cases and Materials on the Legal Profession.

One hour.

Legal Research This is a course for students engaged in law review work. It also includes some work in legal bibliography.

One hour.

Philosophy Of Law This course is a survey of great systems of juridical thinking. Consideration will be given to the works of Plato, Aristotle, Cicero, St. Thomas Aquinas, Suarez, Grotius, Hobbes, Montesquieu, Kant, Hegel, and the most important jurists of the nineteenth and twentieth centuries. The conclusion of this course would be an exposition of the legal principles of a sound philosophy.

Selected materials.

Two hours.

Torts This course is typical of the standard course in American law schools. Bases of responsibility for tort are studied. Emphasis is put upon the articles in the Civil Code of Louisiana on offenses and quasi-offenses. Other subjects covered are wrongful death, master and servant, and Workmen's Compensation.

Selected cases and materials.

Five Hours.

CIVIL LAW

Civil Law Research This course is intended to serve a threefold purpose: first, to improve the student's reading and understanding of legal French and Spanish, secondly, to make him acquainted with the bibliography and authorities of the French, Roman and Spanish law, together with some training in the manner of using them, and, third, to foster an interest in comparative law through the individual experience in working out special problems.

Selected materials.

One hour.

Development of Civil Law Institutions The purpose of this course is to give, first, a survey of the sources of public and private law of the Roman Empire, France, Germany, England and Spain, secondly, a survey of the evolution of legal institutions with regard to their influence on the American law, and, third, a special treatment concerning the origin of private law in Louisiana.

Selected materials.

Four hours.

Donations This course deals with donations, particularly the capacity of persons to dispose of and receive property by donation *inter vivos* and *mortis causa*, the *legitime* of forced heirs, and the formalities of testamentary disposition of property.

Louisiana Civil Code, Articles 1467-1755.

Selected cases.

Two hours.

Obligations This is a course on contract law. It includes general provisions applicable to all contracts, the formation and effect of agreements, various classes of obligations, and means of extinction, including prescription *liberanda causa* (statute of limitations), proof of obligations and quasi-contracts.

Louisiana Civil Code, Articles 1756-2314 and 3528-3549.

Selected cases and materials.

Four hours.

Oil and Mineral Rights This course involves a specialized study of the nature of interests in oil, gas and other minerals, including the remedies of the owner against adjoining landowner and trespasser; the nature of the mineral contract; sale and reservation of mineral rights; prescription of mineral rights; the mineral lease, including the consideration, potestative conditions, the term, abandonment or forfeiture, rent or royalties; government control of production, including conservation; drilling operations; mineral rights in public lands; liens affecting mineral interests; and taxation of mineral interests. Principal attention is given to Louisiana cases, supplemented by the pertinent articles of the Revised Civil Code of Louisiana and the various Acts of the Legislature of Louisiana affecting oil and mineral rights.

Selected cases and materials.

Two hours.

Persons This course covers domicile, absentees, family relationships, marriage, separation from bed and board and divorce, the marriage contract, community regimes, minors, their tutorship and emancipation, interdicts, and the distinction between persons.

Louisiana Civil Code, Articles 1-426, 2325-2437.

Selected cases and materials.

Four hours.

Property This course deals with movable and immovable things, their ownership, usufruct, use and habitation, predial servitudes, occupancy, possession, and acquisitive prescription.

Louisiana Civil Code, Articles 448-869, 3412-3527.

Selected cases and materials.

Three hours.

Sales and Leases This course is a continuation of the course on obligations as to the particular contracts of sale and lease in respect to movable and immovable property. It also includes exchange.

Louisiana Civil Code, Articles 2438-2800.

Selected cases and materials.

Two hours.

Security Rights This course includes that section of the Civil Code dedicated to security devices, including the contracts of suretyship, pledge and mortgage, and also the section in privileges (liens). Comparative studies with regard to the foreign security devices are given.

Louisiana Civil Code, Articles 2891-2986, 3025-3411.

Selected cases and materials.

Two hours.

Successions This course deals essentially with the distribution of intestate successions, capacity and incapacity of heirs, acceptance of successions, principally from a standpoint of substantive law. (The administration of estates is covered in the course on Louisiana Pleading and Practice.)

Louisiana Civil Code, Articles 870-1466.

Selected cases.

Two hours.

BUSINESS LAW

Agency This is one of the introductory commercial law courses. Emphasis is put upon the creation of enforceable contractual obligations through third party representatives. Attention is given to Articles 2985-3024 of the Civil Code of Louisiana dealing with mandate.

Selected cases and materials.

Two hours.

Business Associations This course treats of the business devices known as the partnership and the corporation. Attention is given to the Uniform Partnership Act, the Limited Partnership Act, and Articles 2801-2890 of the Revised Civil Code of Louisiana, dealing with partnerships. An analysis is made of the legal status of corporations, their promotion, subscriptions to stock, powers and limitations of corporations, rights and liabilities of directors and stockholders, and rights of creditors. A detailed study is made of the Business Corporations Act of Louisiana, Articles 427-447 of the Revised Civil Code of Louisiana, together with a comparison of the common law doctrines and the provisions of the Uniform Business Corporations Act.

James, Cases on Business Associations.

Four hours.

Insolvent Debtors' Estates This course comprises a study of the systems by which insolvent enterprises are administered for the benefit of creditors, including a study of liquidation under general assignment, equity receivership, and bankruptcy, and of reorganization and financial rehabilitation by means of equity receivership and bankruptcy.

Selected cases and materials.

Two hours.

Insurance In this course consideration is given to personal and property insurance, together with the rights and powers of the insurer, the insured, the beneficiary, the assignees, and creditors.

Goble, Cases on Insurance.

Two hours.

Negotiable Instruments This course involves a discussion of the formal requisites of the negotiability of bills, notes, and checks, methods of transfer, indorsements, bona fide purchase, equities and defenses, and liability of the parties.

Steffen, Cases on Commercial and Investment Paper.

Two hours.

PUBLIC LAW

Administrative Law This course deals with the creation and functions of administrative tribunals, the procedure before such tribunals, and judicial relief from administrative action.

Materials to be announced.

Two hours.

Constitutional Law In this course a thorough analysis is made of the nature and interpretation of constitutions; the respective spheres of state and federal authority; nationality and citizenship; due process of law and equal protection of the laws; power of eminent domain; retrospective laws; the regulation of commerce; and limitations upon the power to tax.

Long, Cases on Constitutional Law.

Three hours.

Criminal Law and Procedure This course considers the origin and history of public offenses, and the theory of state intervention; the specific crimes; defenses; capacity; the theory of personal accountability; and criminal procedure.

Harno, Cases and Materials on Criminal Law and Procedure (2d edition) and assigned readings.

Three hours.

Taxation In this course is considered the nature and theory of taxation; the legitimate purposes of taxation; the various types of taxes; the administrative features of tax legislation and specific constitutional limitations imposed upon taxing power.

Selected cases and materials.

Two hours.

Trade Regulation This course involves an analysis of the various aspects of trade regulation and includes investigation of the cartel, the Federal Trade Commission, and various other agencies and legislation dealing with this subject-matter.

Selected cases and materials.

Two hours.

PROCEDURE AND PRACTICE

Evidence This course involves a discussion of the trial rules of evidence; the qualification and impeachment of witnesses; the opinion rule; admissions and confessions; rules relating to writings; the hearsay rule and its exceptions, and privileged relations; burden of proof and presumptions; judicial notice; and the so-called parole evidence rule.

Wigmore on Evidence.

Selected Cases.

Two hours.

Federal Jurisdiction and Procedure This course covers the federal judicial system; the original and concurrent jurisdiction of federal courts; venue; the substantive law applied in the federal court; procedure; relation of state and federal courts; and appellate jurisdiction in the federal system. Special attention is given to the recently adopted rules on federal procedure, together with a study of the reports of various institutes which have been held for the purpose of discussing and analyzing the new rules, particularly the Cleveland Institute, which was conducted under the auspices of the American Bar Association.

Dobie, Cases on Federal Jurisdiction and Procedure.

Two hours.

Louisiana Pleading and Practice This is a course on the Louisiana system of pleading and practice which includes the jurisdiction of the various state courts and a study of the mechanics of litigation from its inception to final adjudication. The work prepares the student to meet and solve problems which confront the practicing lawyer and calls for the practical application of legal theory to concrete cases. The students are assigned problems weekly which necessitate the drafting of particular pleadings and documents and which must be supported by the citation of pertinent authorities. Seminars are held weekly for the purpose of criticism and discussion.

McMahon, Louisiana Practice; Louisiana Code of Practice.

Six hours.

CURRICULUM 1941-1942

DAY DIVISION

FIRST YEAR

Course.	Hours 1st Sem.	Hours 2nd Sem.
Agency		2
Civil Law Research.....		1
Constitutional Law		3
Contracts	3	2
Criminal Law and Procedure.....	3	
Development of Civil Law Institutions.....		2
Persons	4	
Property		3
Torts	3	2
	13	15

SECOND AND THIRD YEAR

Course.	Hours 1st Sem.	Hours 2nd Sem.
Administrative Law		2
Business Associations	2	2
*Canon Law	1	1
Conflict of Laws.....		3
Donations		2
Federal Procedure		2
Insolvent Debtors' Estates.....	2	
Insurance	2	
Legal Research	1	
Louisiana Practice	3	3
Negotiable Instruments	2	
Obligations	2	2
Philosophy of Law.....	2	
Sales and Leases.....	2	
Security Rights		2
Successions	2	
Trial Tactics		1

*Not for credit.

CURRICULUM 1941-1942

EVENING DIVISION

FIRST YEAR

Course.	Hours 1st Sem.	Hours 2nd Sem.
Contracts	3	2
Criminal Law and Procedure.....		3
Persons	4	
Property		3
Torts	3	2
	<hr/> 10	<hr/> 10

SECOND, THIRD AND FOURTH YEAR

Course.	Hours 1st Sem.	Hours 2nd Sem.
Administrative Law		2
Agency		2
Business Associations	2	2
Conflict of Laws.....		2
Constitutional Law	3	
Development of Civil Law Institutions.....	2	2
Donations		2
Evidence	2	
Federal Procedure		2
Insolvent Debtors' Estates.....	2	
Insurance	2	
Legal Ethics		1
Louisiana Practice	2	2
Negotiable Instruments	2	
Obligations	2	2
Philosophy of Law.....	2	
Sales and Leases.....	2	
Security Rights		2
Successions		2
Trial Tactics		1

DEGREES CONFERRED ON JUNE 2, 1941

BACHELOR OF LAWS

Baudouin, Waldo James.....	Hahnville, La.
Bologna, Joseph Vincent.....	New Orleans, La.
A.B., Loyola University.	
Braud, Sidney Francis.....	New Orleans, La.
A.B., Loyola University.	
Brown, James Everett.....	New Orleans, La.
Ph.B., Loyola University.	
Caillouet, Clyde Charles.....	Thibodaux, La.
Cooney, Miliam Ilse.....	New Orleans, La.
B.S., Louisiana State University.	
Dabbs, David Benjamin.....	Bridgeport, Conn.
A.B., Syracuse University.	
Daspit, F. Driscoll.....	New Orleans, La.
A.B., Loyola University.	
Farrell, Alfred M., Jr.....	New Orleans, La.
A.B., Loyola University.	
Fishman, Ralph Henry.....	New Orleans, La.
Fitzsimmons, Huyet Walter.....	New Orleans, La.
B.S., Spring Hill College.	
Gomila, Maurice Louis.....	New Orleans, La.
Guidry, Cyrus Clayton.....	New Orleans, La.
Hayes, Arthur Michael.....	New Orleans, La.
B.S., Loyola University.	
Lafaye, Ogden William.....	New Orleans, La.
Read, Henry James.....	New Orleans, La.
Reuter, John Richard.....	New Orleans, La.
B.B.A., Tulane University.	
Waguespack, Herbert Wilhelm, Jr.....	New Orleans, La.
A.B., Loyola University.	
Weatherford, Kline	Dosier, Ala.
Wegmann, Edward F.....	New Orleans, La.
A.B., Loyola University.	

ENROLLMENT

DAY DIVISION

1940-1941

FIRST YEAR

Broussard, Robert Ignatius.....	Louisiana
Calhoun, Clay Joseph.....B.S. in E., Loyola U.....	Louisiana
Caro, Fred Lawrence.....	Louisiana
Charbonnet, Harry Numa.....B.S. in E., Loyola U.....	Louisiana
Deano, Guy Louis.....	Louisiana
Eason, Calvin Winston.....	Louisiana
Manion, Francis E.....	Louisiana
Marciante, Anthony Jerome.....	Louisiana
Martin, George D.....	Louisiana
Nader, Nesib.....A.B., L. S. U.....	Louisiana
Smith, Allen Harley.....	Louisiana
Wood, William Ezekiel.....	Louisiana

SECOND YEAR

Allain, Alexander Peter.....	Louisiana
Caillouet, Bernard Joseph	Louisiana
Casey, John Reilley.....A.B., Loyola U.....	Louisiana
Collins, Philip Reilly.....A.B., Loyola U.....	Louisiana
Compagno, Peter Joseph.....B.S. in E., Loyola U.....	Louisiana
Henderson, Joseph Benjamin.....	Louisiana
Hesni, George Saleem.....	Louisiana
Higgins, Alvin Francis, Jr.....	Louisiana
O'Dwyer, Rudolph Theodore, Jr.....A.B., Loyola U.....	Louisiana
Vial, Lester Joseph.....	Louisiana

THIRD YEAR

Baudouin, Waldo James.....	Louisiana
Bologna, Joseph Vincent.....A.B., Loyola U.....	Louisiana
Braud, Sidney Francis.....A.B., Loyola U.....	Louisiana
Brown, James Everett.....A.B., Loyola U.....	Louisiana
Caillouet, Clyde C.....	Louisiana
Dabbs, David Benjamin.....A.B., Syracuse U.....	Connecticut
Daspit, F. Driscoll.....A.B., Loyola U.....	Louisiana
Farrell, Alfred M., Jr.....A.B., Loyola U.....	Louisiana
Gomila, Maurice Louis.....	Louisiana
Read, Henry James.....	Louisiana
Waguespack, Herbert Wilhelm, Jr.....A.B., Loyola U.....	Louisiana
Weatherford, Kline	Alabama
Wegmann, Edward F.....A.B., Loyola U.....	Louisiana

UNCLASSIFIED

Carashick, Irving.....	A.B., U. of Michigan.....	Connecticut
Danna, Gesuardo Aloysius.....	B.S., Loyola U.....	Louisiana
De Blanc, Helene.....		Louisiana
Egan, John McMahon.....		Louisiana
Schiro, Courtney Marie.....		Louisiana

EVENING DIVISION

FIRST YEAR

*Andrée, Eldon Joseph.....		Louisiana
Bonnett, Clarence Elmore, Jr.....	B.B.A., Tulane U.....	Louisiana
Broderick, Oliver Daniel.....		Louisiana
Cailleteau, Robert Aloysius.....	B.S., Centenary College.....	Louisiana
*Carter, William Samuel.....		Louisiana
*Comer, Sidney J.....		Louisiana
*Doyle, Francis C.....		Louisiana
George, Charles Tabb.....	A.B., U. of Virginia.....	Louisiana
Ireland, Edward Joseph.....		Wisconsin
Ives, Charles Mitchell.....		Louisiana
Koehl, John Voelkel.....		Louisiana
LeBlanc, J. Wilfred.....	B.S. in E., Loyola U.....	Louisiana
*Lemmon, Sherman Beardsley.....		Louisiana
Lemmon, Mrs. Marie Plaisance.....		Louisiana
Mabus, James Thermon.....	A.B., U. of Alabama.....	Louisiana
Merrigan, Edward Lawrence.....		Louisiana
Molaison, Harold Louis.....	A.B., L. S. U.....	Louisiana
Schmittz, Chester Joseph.....		Louisiana
Vinet, William Charles, Jr.....	A.B., Loyola U.....	Louisiana

SECOND YEAR

Andry, William Louis.....		Louisiana
Flotte, Arthur Victor.....		Louisiana
Meunier, Richard Joseph.....	B.S. in E., Loyola U.....	Louisiana
Mittelbronn, Rene Joseph.....		Louisiana
Schreiber, Gerald Harold.....		Louisiana

*Special Students.

THIRD YEAR

Becker, Elmore P.....	Louisiana
Blanchard, James Elmer.....	Louisiana
Brahney, Thomas Michael, Jr.....	Louisiana
Clarke, Bert William.....	Louisiana
Clugston, Albert James.....	A.B., Rice Institute.....Louisiana
Gremillion, Charles Cassidy.....	Louisiana
Hyland, Parnell James.....	Louisiana
McGovern, Daniel Allen, III.....	Louisiana
Michelet, Frank Louis.....	Louisiana
Quinlan, Gerald Sylvester.....	Louisiana
*Sickinger, William A.....	Louisiana

FOURTH YEAR

Cooney, Miriam Ilse.....	B.S., L. S. U.....Louisiana
Fishman, Ralph Henry.....	Louisiana
Guidry, Cyrus Clayton.....	Louisiana
Hayes, Arthur Michael.....	B.S., Loyola U.....Louisiana
Lafaye, Ogden William.....	Louisiana
Reuter, John Richard, Jr.....	B.B.A., Tulane U.....Louisiana

UNCLASSIFIED

Araguel, Rosalie Charlotte.....	Louisiana
Eberle, Frank Gordon, Jr.....	Louisiana
Finn, Philip Suder, Jr.....	B.S., Clemson Col.....N. Carolina
Fitzsimmons, Huyet Walter.....	B.S., Spring Hill Col.....Louisiana

*Special Students.



